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October 29, 2010

**BY FACSIMILE**

Hon. Michael A. Shipp  
United States Magistrate Judge  
Martin Luther King, Jr. Federal Building & U.S. Courthouse  
50 Walnut Street  
Newark, NJ 07101

**White v. Smiths Detection, Inc., et al.**  
**No. 2:10-cv-04078-SRC-MAS**

Dear Judge Shipp:

We represent Defendants Smiths Group plc (“Smiths Group”) and Philip Bowman in the above-referenced matter.<sup>1</sup> I write respectfully to request an adjournment of the scheduling conference currently scheduled for November 18, 2010 and the other obligations set forth in the Scheduling Order issued on September 3, 2010 (Docket No. 14) and the subsequent Order issued on September 23, 2010 adjourning the conference to its currently-scheduled date (Docket No. 17). Counsel for Plaintiff and the other Defendants who have appeared in this action – Smiths Detection Inc., Brian Bark and Christopher Gane – assent to the relief requested.

Pending before the Court is Smiths Group and Mr. Bowman’s Motion to Dismiss the Complaint With Prejudice. The outcome of this motion may substantially affect the proper scope of discovery in this matter; if the motion is granted in its entirety, all claims against Smiths Group and Mr. Bowman will be dismissed. To proceed with discovery under these circumstances could result in needless expense and effort for all parties. Moreover, Smiths Group plc is based in the United Kingdom, and Mr. Bowman lives and works in London, making discovery all the more burdensome and costly for these defendants.

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<sup>1</sup> Mr. Bowman does not intend to waive, by virtue of this letter, his right to raise a defense based on lack of personal jurisdiction or any other defense under Federal Rule of Civil Procedure 12(b).

Hon. Michael A. Shipp

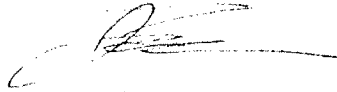
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In addition, two of the individuals named as defendants in this case, Pennie Boyko and Stephen Phipson, to our knowledge have not yet been served. The disposition of any 12(b) motions Ms. Boyko and Mr. Phipson may file in response to the Complaint may also affect the proper scope of discovery.

Based on the foregoing, we respectfully request that the Court adjourn the scheduling conference currently scheduled for November 18, and the other obligations set forth in the Court's September 3 and September 23 Orders, until the Court rules on the pending Motion to Dismiss of Smiths Group and Mr. Bowman and any future 12(b) motions brought by other defendants.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Jyotin Hamid', with a long horizontal flourish extending to the right.

Jyotin Hamid

cc: Ellen O'Connell, Esq. (via e-mail only)  
Sarah E. Bouchard (via e-mail only)